

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CURT THOMAS	:	CIVIL ACTION
	:	
v.	:	
	:	
MICHAEL J. ASTRUE	:	NO. 07-2258

**ORDER**

**AND NOW**, this 14th day of July, 2009, upon consideration of Defendant's "Motion to Dismiss Plaintiff's Complaint under the Social Security Act and to Deny Plaintiff's Application for Attorney Fees under the Equal Access to Justice Act" (Docket No. 13), and Plaintiff's response thereto, and in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** as follows:

1. Defendant's Motion is **GRANTED**.
2. Plaintiff's Complaint is **DISMISSED**.
3. Plaintiff's Application for Attorney's Fees is **DENIED**.
4. The Clerk is directed to **CLOSE** this case statistically.

BY THE COURT:

/s/ John R. Padova, J.  
John R. Padova, J